

10. 18.12.2018

Heard learned counsel for the petitioner.

Learned counsel for the petitioner submits that by virtue of the interim order dated 23.11.1998, the petitioner was protected. In the meantime, the petitioner has died. However, it is stated that even on today the legal heirs of the petitioner are in possession of the said shop in question.

In view of the above, it appears that by efflux of time the writ petition has become infructuous and is accordingly dismissed.

However, liberty is granted to the legal heirs of the petitioner to revive this petition within 30 days, if any cause of action still survives.

.....  
( *K.S. Jhaveri* )  
*Chief Justice*

AD

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( *Biswanath Rath* )  
*Judge*